

February 13, 2014

David Keyon
Department of Planning, Building and Code Enforcement
200 E. Santa Clara Street, Tower, 3rd Floor
San Jose, CA 95113
File No. PP09-163

Dear Mr. Keyon,

SPUR is pleased to share our comments on the draft Diridon Station Area Plan (DSAP) and its related Draft Program Environmental Impact Report (DPEIR). We appreciate and commend the years of time and commitment already contributed to creating this plan from the community, the city and dozens of experts.

The Diridon Station Area is an opportunity to implement the vision and policies set forth in the City's Envision 2040 General Plan, including strengthening and expanding the city's downtown and achieving the ambitious target to grow walking, cycling, transit and carpools to 60% of all commute trips. It is also an area of regional and statewide significance given the projected transit investment. What happens at Diridon could become a model for effective long-term transit-oriented planning and development throughout California.

SPUR is an urban policy organization and civic group with offices in San Jose and San Francisco. We recently published a major report on urban design in San Jose ("Getting to Great Places") and will soon release a report on the future of downtown San Jose. That report includes additional discussion of the Diridon area and other recommendations about downtown overall. Later this year we will release a long-term strategy report about the Valley Transportation Authority (VTA). These reports inform the following comment letter. SPUR is committed to San Jose and to the long-term development around Diridon.

SPUR is supportive of the broad outlines of the draft plan. Of primary importance is ensuring both significant and high-quality development in the station area to achieve high transit ridership while successfully implementing the placemaking and transportation policies discussed in the plan. We look forward to a close partnership with the city and other stakeholders in this effort.

We do, however, think that the Draft Program Environmental Impact Report (DPEIR) does not provide sufficient analysis of some of the project impacts. This letter has three parts.

1. What we support about the Diridon Station Area Plan (DSAP) and the DPEIR.
2. Areas that deserve special attention, particularly in the plan's implementation.
3. Areas that should be corrected or modified in the plan or further studied in the DPEIR.

1. We support the following:

- ***The overall land use plan and proposed amount of development is appropriate.*** SPUR supports the proposed DSAP, not the Design Alternative. Diridon should be a major job node and 5 million square feet is a realistic amount of commercial development for the area. The alternative only includes 1.15 million square feet, which is a major underuse of this important district. We do think that Diridon could support more than 5 million square feet of development, particularly if the densities were increased in the southern zone (where the airport flight path and high water table are less of a limiting factor in development).
- ***The land use controls in the central area should focus on commercial or job-generating uses and restrict residential development.*** The central area will be one of the most transit-rich places in the state. As is well documented, significant employment directly adjacent to transit is the best way to ensure high transit ridership. As a result, we agree with the Plan's restriction on housing within the immediate zone around the station and support the proposal to focus the housing development in the southern portion of the plan area.
- ***We support the goal to require transportation demand management (TDM) for future development.*** We would go a step further to establish an area-wide transportation management association (TMA) to promote TDM for future visitors and users. In addition to running programs to encourage employees, residents and visitors to travel with alternative modes, the TMA could take on the additional role of parking policy and management in the Diridon area.
- ***The station plaza is an opportunity to create a sense of place and orient travelers.*** We are encouraged by the analysis of different options for orienting the plaza. We think selecting the appropriate plaza design will be crucial for the success of the station area and think this is worthy of additional discussion.

2. The following areas deserve special attention, particularly in the plan's implementation:

- ***More attention should be paid to the land ownership and management structure.*** Realization of the vision the DSAP and related Envision 2040 goals will require a high level of continuous cooperation among public agencies, private land owners, facility operators, and the community. One option would be to establish a Joint Powers Authority that would serve as the joint owners for major portions of the entire site. This would streamline decision-making.
- ***The physical connection and street orientation between the station and Santa Clara Street is the key to connecting Diridon to the rest of downtown.*** Planning for Diridon must come from the perspective of the pedestrian, particularly the transit passenger who arrives at Diridon and exits the station heading elsewhere in downtown. The streets, sightlines, signage and other orientation tools should clearly point the pedestrian towards downtown's Grand Boulevard of Santa Clara Street or other identified direct paths to the rest of downtown. This will require ongoing careful consideration about the walkability of the district as it gets built out. We suggest a requirement that as individual projects come forward, their site plans show orientation to pedestrian paths of travel. (Table 2-4, Section 2.3.2.1)

- ***The physical connection to preferred bicycle routes to/from the station in all directions is key to connecting Diridon to the Central San Jose area.*** Per the 2040 General Plan, 2020 Bike Plan and our own research, we believe San Jose has significant potential to increase non-auto commute mode share, particularly within the neighborhoods immediately surrounding downtown. This area we refer to as “Central San Jose.” In addition to building on the strong bike infrastructure the City has recently constructed, the signage, maps, significant bicycle storage and clear path of bike travel should be prioritized. We suggest a requirement that as individual projects come forward, their site plans show bicycle paths of travel. (Table 2-4, Section 2.3.2.1)
- ***The station area should have seamless integration between the multiple transit operators and provide clear information about the various transit options, both within the station and at the bus transfer stops outside.*** Given the many different transit services at Diridon, there is additional burden for travel information. There should be better signage and digital displays of real-time information for all trains at Diridon, rendered in a consistent way across different transit services and repeated throughout the station area. The 511 maps located just outside Diridon Station are an improvement but do not give enough detail about the places to go in downtown, nor do they provide any real-time information about transit or the DASH shuttle. There should also be a hub for all bus lines outside the station with similarly clear real-time signage and mapping. (Table 2-4, Section 2.3.2.1)
- ***There should be a goal and commitment to shift towards a shared parking model where not every building is self-parked.*** The plan suggests that shared parking should be encouraged. But this is something that cannot happen if every building is required to be self-parked. We strongly support establishing a parking management system that shares parking between uses and times of day. (Section 2.3.2.2)
- ***The pedestrian connections and green finger investments should respond to the natural walking and mobility patterns of users.*** It is crucial for the pathways to be logical for the user. Some of the maps and proposed connections seem to be missing key routes and connections (such as along Santa Clara and San Fernando) while other proposed paths do not seem to be most needed. For example, the rail spur should not become bike lane in the Northern Innovation zone, as this is not a natural route for anyone traveling in the area. Instead, any bike path should be directly south to the Diridon station from the Innovation District. In addition, maintaining the existing rail/track area as a bike path would carve up these development opportunity sites. (Table 2-4, Section 2.3.2.1)
- ***The total amount of open space in the area should be carefully managed to not become too much space that is rarely used.*** Ensuring that future open space is well used and inviting should be the key goal. Downtown San Jose already has substantial open space resources that are underutilized. It is important for the implementation of the plan to carefully consider the amount and access to future park space. This includes proposals to expand the park space along Los Gatos Creek, the proposal to build a major park in the Southern Area of the DSAP and the various options and alignments for the plaza in the Central Zone.

3. The following areas should be corrected or modified in the plan, or further studied in the DPEIR:

Correction or clarification requested:

- ***The DSAP inaccurately references and depicts the addition of a separated bike path and open space area west of Autumn Street and east of the Los Gatos Creek Trail, between Santa Clara and San Fernando Streets.*** There are several permanent structures existing today in this geography that prohibit the possibility of a Class I bike path or publically accessible open space between Autumn and the Los Gatos Creek (see Los Gatos Creek Trail – Reach 5 Master Plan, 2008). As stated on page 35 of the DPEIR, the statement: “the trail would follow on-street alignments between San Fernando Street and Santa Clara Street, although the City currently plans to construct the trail in the open space created by the Autumn Street realignment project” appears to be not entirely accurate as the trail would have to connect on Autumn Street. For clarification purposes, references to this as a continuous path/open space should be removed from the project description and maps of the DPEIR. For example:
 - References Figure 2-2, text on page 35, 59 and 61, Figures 2-8 (or, buildings such as that located at the southeast corner of Santa Clara Street and Autumn should be acknowledged), Figure 2-9 (Los Gatos Creek park area in same location) and particularly “Bicycle and Trail” map of Figure 2-10, which incorrectly depicts the proposed Los Gatos Creek Trail Alignment at Santa Clara and Autumn.

4.1 LAND USE

- ***There should be an alternative studied and prepared to the baseball stadium.*** In the event that Major League Baseball does not occupy the space around Diridon, there should be an environmentally cleared alternative that assumes maximum development of commercial/job uses in the area of the proposed stadium.
- ***The minimum FAR for the Central Zone should be higher than 2.0 to ensure that the build out does not underutilize the land around the station.***
- ***Demolition of existing homes and properties should be minimized.*** Much of the project assumes major redevelopment and demolition of existing homes and commercial buildings. If more of the existing soft sites were built out at high enough densities, and priority was given to the rehabilitation of particularly unique and historical existing structures there would be no need to demolish existing homes and businesses to achieve the build out. In addition, leaving more of the existing structures in place would maintain and add to the future character of the new districts. Building on existing urban fabric, not entirely replacing it, enhances the authenticity of place.

4.2 TRANSPORTATION

- ***There should be a strong focus on the performance of the transportation systems in the station area.*** The DPEIR makes simplifying assumptions about the execution of the DSAP and the development of the “high-volume commuter facility, intermodal passenger hub, and long-distance train station”. Specifically, it

assumes that all connections between modes (walking, cycling, transit, auto) and transit services (VTA bus/BRT, light rail, Caltrain, BART, HSR etc.) will be of a high enough quality that ridership projections will be attained. This would support the DPEIR's conclusion that the project will conform to Envision 2040 and as a result, projects in the DSAP will be largely "self-mitigating".

- ***The DPEIR should provide further assurance and methods of measuring/monitoring that there is a less than significant impact to transit, bicycle and pedestrian facilities from the plan.*** The DPEIR says that the Plan and existing policies ensure there will be a less-than-significant impact to pedestrians, cycling and transit. But without a funding mechanism, TDM or other more detailed planning, those other modes will be impacted. The concern is that new development will continue to prioritize automobile travel and throughput, despite policy variations.
- ***The DPEIR discloses insufficient information about the impact of the project on planned transit projects.*** In particular, the DPEIR notes that the proposed project would make a "substantial contribution to significant impacts on transit priority corridors". Given that the DPEIR has no information on projected ridership of the Alameda/El Camino Real BRT route and mistakenly refers to VTA's 522 line as "BRT" (See page 111), it is difficult to assess the level of impact on this planned transit investment from the DSAP.
- ***The plan should protect more intersections from growth in auto capacity.*** The City of San Jose's policy to protect intersections from auto mitigations is an exemplary tool to improve conditions for non-auto modes. While the DPEIR proposes adding three intersections to the protected intersections list, we suggest adding all intersections in the DSAP area to this list so that project level EIRs do not result in adverse impacts to these modes.
- ***The city's new policy framework requires rethinking of design of Autumn Parkway.*** Autumn Parkway was mitigation from the Strategy 2000 EIR. Subsequent to that time, California passed SB 375 and more importantly, the City of San Jose adopted its Envision 2040 General Plan. We propose that San Jose reexamine this project in light of its new policies. Prioritizing auto throughput in this area is in direct contradiction to the city's stated goals of reducing vehicle miles traveled and encouraging non-auto modes of travel.
- ***Autumn Parkway should not be built south of Julian.*** The connection north of Julian is useful in that it increases connectivity across the old railroad tracks. However, the street design and alignment of Autumn Parkway south of Julian would disrupt and destroy some of what is left of the traditional grid in the area as well as lead to the demolition of existing properties. As a result, San Jose should wait for significant development before finalizing the full project extension south of Julian Street. It is appropriate to allow some of the development to take place before defining exactly what kind of roadway expansion is required. It would be a mistake to build out a roadway based on a final development pattern that may take decades to transpire. We did not see any evidence in the DPEIR that stopping Autumn Parkway at Julian Street would have any adverse affect on the transportation system.
- ***Autumn Parkway should be designed as a multi-modal street.*** Particularly between Santa Clara Street and Park, it will be important to make sure that there

is a north/south bike path along Autumn Parkway. An alternative such as the Guadalupe River Trail is not appropriate for bike commuting as that trail is currently closed after dark and as stated before, the assumption of the Los Gatos Creek Trail as a Class I bike facility is likely impossible. Additionally, it is important to maintain on-street parking. This would allow for continued direct access to facilities such as the children's playground just east of the Arena. The on-street parking could be used as a lane of traffic during special events.

- ***There should have been additional analysis of the impact of minimum parking requirements and an alternative explored that eliminates parking minimums.*** The DSAP and DPEIR assume an average of 1.5 spaces per 1,000 square feet of commercial uses and 1 space for every residential use. We do not believe that the DPEIR properly evaluated the negative impact on quality urban design and encouragement of auto travel of having every building self-parked. Additionally, while we do not dispute the need for increased parking in the Diridon Station area, we do not support the notion of mandating a parking minimum and suggest these be removed from the final plan. An alternative in the near term is to use existing surface parking lots as an interim use and form of land banking until values get high enough to justify dense new development.

4.5 CULTURAL RESOURCES

- ***There should be greater protection of historic resources, particularly pre WWII housing north of the station area.*** In Impact CUL-1, the DPEIR notes that “The DSAP would make a cumulatively considerable contribution to previously identified significant impacts to historic resources.” Greater attention should be placed on enabling development in such a way that preserves the existing street fabric and historic structures. We do not think that there is enough information to evaluate the cumulative impact of the loss of these resources. In particular, the Northern Innovation zone includes several blocks of pre-WWII housing on Autumn Street and Autumn Court that should be kept as part of the fabric and history of the area. To treat this area as simply an opportunity site to wipe clean misses part of its unique selling point -- its history. We do not support the extent to which the DSAP and DPEIR assume total loss of those resources and recommend that the city assume retention of as much of the existing fabric and historic buildings as possible. We recognize that part of the challenge lies in CEQA where Structures of Merit are not considered significant resources for the purposes of CEQA, even though they “contribute to the historic fabric of the city.”
- ***The DPEIR does not properly analyze the need for the realignment project to also remove the existing buildings east of Autumn Street towards Los Gatos Creek.*** As stated earlier, there is no reference to existing structures that would need to be removed in this area.

For ease of review and orientation to the DPEIR, it would be helpful to include a summary of all Impacts, Mitigation and Avoidance Measure and Level of Significance in the first table (starting on page 9), not only those of Significant and Unavoidable (SU) Impact.

Finally, we challenge the underlying assumptions that lead to the “Reduced Scale Alternative” being considered the “environmentally superior alternative” only because it would result in less development overall. Increasing development around transit is environmentally superior to an alternative of more scattered development. By confining the environmental analysis to the immediate intersections and blocks, the scale of analysis for making this assumption misses the broader and greater environmental impact of reducing development around the station.

In sum, we support much of what is included in the DSAP and the DPEIR. We look forward to ongoing collaboration with the City and other stakeholders on the implementation of this plan.

Thank you for the opportunity to comment on the Diridon Station Area Plan and DPEIR.

Regards,

A handwritten signature in black ink, appearing to read "Leah Toeniskoetter". The signature is fluid and cursive, with a large initial "L" and a stylized "T".

Leah Toeniskoetter
SPUR San Jose